

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

DR. MARKCUS KITCHENS, JR.
PLAINTIFF

v.

NATIONAL BOARD OF MEDICAL EXAMINERS,
DEFENDANT

CIVIL ACTION NO.:
2:22-CV-03301-JMY

**DECLARATION OF MISSIE KING IN SUPPORT
OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

I, Missie King, submit this declaration based upon my personal knowledge. If called upon to testify, I can and will testify truthfully and accurately to the facts contained herein:

1. My name is Missie King. I am over the age of eighteen (18). I have personal knowledge of all facts set forth herein.
2. I am the mother of the Plaintiff, Dr. Marcus Kitchens.
3. As a small child, Dr. Kitchens was an extremely active individual. He always had to be doing something, he could not sit still, and everything was at a run and/or fast pace.
4. During Dr. Kitchens' first grade school year, the teacher noticed Dr. Kitchens demonstrated signs of an attentional disorder. These signs included:
 - a. Being unable to sit still;
 - b. A constant need to move and/or fidget;
 - c. An inability to focus while the teacher was talking; and
 - d. Being easily distracted.
5. Towards the end of Dr. Kitchens' first grade school year, the teacher and school administration recommended holding him back to repeat the first grade.
6. Due to his high performance in classwork, I refused to hold him back.

**DEFENDANT'S
EXHIBIT**

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7. During his second grade school year, the teacher recognized the same attentional disorder symptoms in Dr. Kitchens as the previous year.

8. The teacher met with me in a parent teacher conference and recommended I have Dr. Kitchens evaluated for attentional and/or learning disorders.

9. I took Dr. Kitchens to his pediatrician and had him evaluated for learning and attentional disorders.

10. His pediatrician diagnosed Dr. Kitchens with ADHD and recommended he be put on Ritalin¹. His pediatrician explained to me that the medicine would keep him focused and calm. I turned down the prescription.

11. Dr. Kitchens' teacher began working with him one-on-one, in a distraction-free environment, with additional time on assignments and/or tasks.

12. The teacher also recommended that Dr. Kitchens begin attending after-school learning programs such as:

- a. Kumon;
- b. Hooked on Phonics;
- c. Literacy audio tapes;
- d. Flashcards; and
- e. One-on-one tutoring.

13. The teacher also recommended that he be involved in physical after-school activities.

14. Based on this advice, I enrolled Dr. Kitchens into after school activities and the above referenced academic programs.

¹ Ritalin is a methylphenidate (stimulant) that is used to treat children with attention-deficit hyperactivity disorder. [cite].

15. Each grade subsequent, I pulled Dr. Kitchens' teachers aside and talked with them about Dr. Kitchens' hyperactivity, short attention span, and difficulties focusing in classes.

16. With each grade, Dr. Kitchens' teachers noted that he performed well academically but needed improvement in his conduct. His teachers all noted Dr. Kitchens was easily distracted, lacked focus, and talked excessively in class.

17. As he got older, I kept Dr. Kitchens on a routine with check lists, visual progress markers, and physical after-school activities.

18. In late middle school and/or early high school, Dr. Kitchens began implementing his own systems to manage his personal life, including but not limited to:

- a. Maintaining planners;
- b. Writing everything down;
- c. Keeping alarms for tasks;
- d. Self-made itinerary; and
- e. Having specific location(s) for personal belongings and taking photographs of where those belongings were.

19. During this same time period, Dr. Kitchens began creating systems to manage his academics, including but not limited to:

- a. Studying in his room in complete silence;
- b. Using sticky notes as reminders;
- c. White erase boards;
- d. Flashcards;
- e. Audio tapes of books used in school; and

f. Studying weeks and/or months in advance of examination(s) and/or quiz(zes).

20. As Dr. Kitchens progressed through high school, he began having to study two to three times as long as his peers in order to maintain his grades.

21. Dr. Kitchens graduated high school in May, 2010 with As, Bs, and Cs.

FURTHER, the Affiant sayeth naught.

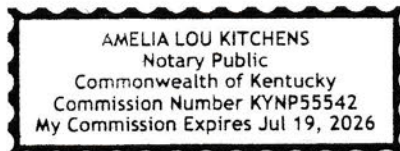
Missie King

ID:RsDRnjrcdEy61KLXYKfgMSua

Missie King

COMMONWEALTH OF KENTUCKY)
COUNTY OF MADISON)

Subscribed, sworn to, and acknowledged before me by the Affiant Missie King on this 6th day of February, 2023.



Amelia Lou Kitchens
NOTARY PUBLIC

My commission expires: 7/19/2026
KYNP55542

eSignature Details

| | |
|-------------------|---------------------------------|
| Signer ID: | RsDRnjrcdEy61KLXYKfgMSua |
| Signed by: | Missie King |
| Sent to email: | jackson_missie@yahoo.com |
| IP Address: | 66.85.230.255 |
| Signed at: | Feb 6 2023, 11:02 pm EST |

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